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Counsel for Plaintiff International Fur Trade Federation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

INTERNATIONAL FUR TRADE
FEDERATION, an unincorporated association;

Plaintiff,

– against –

CITY AND COUNTY OF SAN FRANCISCO;
and

DR. GRANT COLFAX, an individual, in his
official capacity as Director of the San
Francisco Department of Public Health;

Defendants,

and

THE HUMANE SOCIETY OF THE UNITED
STATES; and

ANIMAL LEGAL DEFENSE FUND;

Intervenor-Defendants

Case No. 3:20-cv-00242-RS

**STIPULATION AND
ORDER RE FILING OF THIRD
AMENDED COMPLAINT**

1 Plaintiff International Fur Trade Federation (“IFF”), Defendants City and County of San
2 Francisco and Grant Colfax (together, “Defendants”), and Intervenor-Defendants The Humane Society
3 of the United States and Animal Legal Defense Fund (together, “Intervenors”) (collectively, the
4 “Parties”) hereby stipulate as follows:

5 WHEREAS, in response to IFF’s original complaint in this action (Dkt. 1), Defendants filed a
6 motion to dismiss (Dkt. 15) under both Rules 12(b)(1) and 12(b)(6) in which they argued, *inter alia*,
7 that IFF had not alleged sufficient facts to establish Article III standing;

8 WHEREAS IFF and Defendants thereafter stipulated (Dkt. 23) to IFF’s filing of a first
9 amended complaint (Dkt. 25);

10 WHEREAS Defendants and Intervenors thereafter filed motions to dismiss the first amended
11 complaint (Dkts. 30, 33) solely under Rule 12(b)(6), which motions the Court granted with leave to
12 amend (Dkt. 61);

13 WHEREAS IFF thereafter filed a second amended complaint (Dkt. 62), in response to which
14 Defendants and Intervenors have filed motions to dismiss (Dkts. 67, 70) in which Defendants (but not
15 Intervenors) argue, *inter alia*, that IFF has not alleged sufficient facts to establish Article III standing;

16 WHEREAS, following IFF’s efforts to meet and confer in response to Defendants’ motion, IFF
17 has indicated that it will file a third amended complaint to address Defendants’ argument regarding
18 standing;

19 **NOW, THEREFORE:**

20 1. Pursuant to Rule 15(a)(2), Defendants and Intervenors consent to IFF’s filing of its
21 third amended complaint by September 15, 2020;

22 2. The briefing and hearing schedule previously established by stipulation and Court order
23 (Dkts. 64, 65) regarding Defendants’ and Intervenors’ motions to dismiss and IFF’s motion for
24 summary judgment on the second amended complaint (and the motions themselves) will be rendered
25 moot upon the filing of IFF’s third amended complaint; and

26 3. Within the time for Defendants and Intervenors to respond to the third amended
27 complaint, the Parties will submit a stipulation and proposed order establishing a briefing and hearing
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1 schedule regarding Defendants' and Intervenor's anticipated motions to dismiss and IFF's motion for
2 summary judgment on the third amended complaint.

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4 Dated: September 9, 2020

/s/ Michael Tenenbaum

Michael Tenenbaum, Esq.

mt@post.harvard.edu

THE OFFICE OF MICHAEL TENENBAUM, ESQ.

Counsel for Plaintiff International Fur Trade Federation

8 Dated: September 9, 2020

/s/Aileen M. McGrath*

Aileen McGrath

aileen.mcgrath@sfcityatty.org

DENNIS J. HERRERA, CITY ATTORNEY

*Attorneys for Defendants City and County of San
Francisco; and Dr. Grant Colfax, an individual, in his
official capacity as Director of the San Francisco
Department of Public Health*

15 Dated: September 9, 2020

/s/ Bruce A. Wagman*

Bruce A. Wagman

BWagman@rshc-law.com

RILEY SAFER HOLMES & CANCEL LLP

*Attorneys for Defendant-Intervenor The Humane Society
of the United States and Animal Legal Defense Fund*

20 Dated: September 9, 2020

/s/ Nicholas Arrivo*

Nicholas Arrivo

narrivo@humanesociety.org

THE HUMANE SOCIETY OF THE UNITED STATES

*Attorney for Defendant-Intervenor The Humane Society
of the United States*

26 * Pursuant to Civil L.R. 5-1(i)(3), the filer of this document attests that concurrence in the filing
27 of the document has been obtained from each of the other electronic signatories hereto.
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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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4 Dated: September 14, 2020



Hon. Richard Seeborg
United States District Judge